IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DANIEL J. HARSHBARGER : CIVIL ACTION

and EDITH M. HARSHBARGER,

individually and on behalf of all : NO. 12-6172

persons similarly situated

Plaintiffs : CLASS ACTION

:

v. :

THE PENN MUTUAL LIFE : INSURANCE COMPANY :

Defendant :

ORDER

AND NOW, this 1st day of June 2017, upon consideration of Plaintiffs' unopposed motion for amendment of deadlines set in the preliminary approval order, [ECF 53], it is hereby **ORDERED** that Plaintiffs' motion is **DENIED**.¹

As an initial matter, this Court will note that the demands of this Court's calendar will not permit an earlier hearing date, as Plaintiffs request. Therefore, the Final Approval Hearing will remain as scheduled on November 14, 2017.

As for the other deadlines set forth in the Preliminary Approval Order, this Court notes that the deadlines are consistent with the requests in Plaintiffs' initial motion for preliminary approval. [See ECF 48]. To the extent that Plaintiffs believed it was both appropriate and more efficient to set a common deadline by which settlement class members must file all objections, Plaintiffs were free to argue and include such a proposal in the initial motion for preliminary approval of the Proposed Class Settlement Agreement, but they did not firmly do so. The objections raised by Plaintiffs to the deadlines established by this Court are, at best, minor inconveniences. This Court finds no reason to

On May 30, 2017, Plaintiffs filed the instant motion asking this Court to revise the deadlines set forth in the Preliminary Approval Order issued on May 12, 2017. [ECF 52]. In the motion, Plaintiffs raised two concerns with the Preliminary Approval Order, *to wit:* one, that under the current schedule, class members are obligated, if warranted, to file objections to Plaintiffs' motion for final approval of the settlement agreement and to Plaintiffs' motion for an award of attorneys' fees, expenses, and service awards (the "Fees and Costs Motion") on two successive dates; and two, that the hearing for the final approval of the parties' Settlement Agreement (the "Final Approval Hearing"), currently scheduled for November 14, 2017, is too far removed from the deadline for the class notice. Plaintiffs move this Court to set only one deadline by which class members are to file objections to the proposed settlement and to the Fees and Costs Motion, and to provide notice of any intention to appear at the Final Approval Hearing. Plaintiffs also request that the Final Approval Hearing be rescheduled for a date in October 2017.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro

NITZA I. QUIÑONES ALEJANDRO

Judge, United States District Court

alter any of the established deadlines. The settlement class members will have ample opportunity to raise objections to the Fees and Costs Motion, if they so wish, in advance of the Final Approval Hearing, as required by Federal Rule of Civil Procedure 23(h)(2). Accordingly, Plaintiffs' motion is denied.